



**KAMALA D. HARRIS**  
**Attorney General**

**State of California**  
**DEPARTMENT OF JUSTICE**

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July 1, 2014

United States Magistrate Judge Laurel Beeler  
United States District Courthouse  
Federal Building, Courtroom C, 16th Floor  
450 Golden Gate Avenue  
San Francisco, CA 94102

RE: Estate of Emerald Rose Herriot v. County of Mendocino et al.  
United States District Court, Northern District of California, Case No. CV13-05720 CRB

Dear Magistrate Beeler:

This letter is to request that defendant Nancy Kozak, who is represented by the California Attorney General's Office, be excused from personally attending the settlement conference scheduled in this matter for July 9, 2014 at 9:30 a.m. Ms. Kozak agrees to be available by telephone all day for this settlement conference.

The reason for this request is that settlement authority for Ms. Kozak resides with her employer, the California Department of Social Services (DSS), rather than with Ms. Kozak. DSS will be represented by an attorney from DSS as well as the trial counsel assigned to this case to defend Ms. Kozak, Deputy Attorney General David W. Hamilton. DSS and the Attorney General's Office have full settlement authority to settle on behalf of Ms. Kozak. *See* Cal. Gov. Code § 948.

It would work an extreme hardship upon Ms. Kozak to travel from her home in Ukiah and back to participate in the settlement conference, forcing her to lose an entire work day, to no good purpose given that she herself does not hold the power to settle this matter. We therefore request that her personal attendance be excused and that she be allowed to be on telephone standby for the settlement conference.

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Thank you for your consideration of this request.

Sincerely,

/s/David W. Hamilton

DAVID W. HAMILTON  
Deputy Attorney General

For KAMALA D. HARRIS  
Attorney General

DWH:td

cc: All counsel (by electronic service)

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Dated: July 7, 2014

